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**MAIL STOP PETITIONS  
PATENT**

Customer No. 22,852  
Attorney Docket No. 04329.2821-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Riichiro TAKAHASHI et al.	)	Group Art Unit: Not yet assigned.
	)	
Application No.: 10/824,482	)	Examiner: Not yet assigned.
	)	
Filed: April 15, 2004	)	
	)	
For: ALKALINE SOLUTION AND	)	
MANUFACTURING METHOD,	)	
AND ALKALINE SOLUTION	)	
APPLIED TO PATTERN	)	
FORMING METHOD, RESIST	)	
FILM REMOVING METHOD,	)	
SOLUTION APPLICATION	)	
METHOD, SUBSTRATE	)	
TREATMENT METHOD,	)	
SOLUTION SUPPLY METHOD,	)	
AND SEMICONDUCTOR DEVICE	)	
MANUFACTURING METHOD	)	

Attn.: Office of Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. § 1.53(e)(2)**

Sir:

Applicants received a Notice of Incomplete Nonprovisional Application dated June 24, 2004, stating that the above-referenced application was deposited without drawings. In response, Applicants file this Petition to assert that the above-referenced patent application was filed in the U.S. Patent and Trademark Office (USPTO) on April 15, 2004, including nineteen (19) sheets of drawings containing Figs. 1, 2A-2F, 3A-

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3B, 4A-4F, 5A-5B, 6, 7, 8A-8G, 9, 10, 11, 12A-12I, 13, 14A-14I, 15, 16A-16E, 17A-17C, 18, 19A-19B, 20A-20B, 21, and 22.

As evidence of submission of the drawings, Applicants submit herewith the date stamped postcard receipt to establish prior receipt in the Patent Office of the drawings for the above-referenced application. Applicants also submit herewith their transmittal letter dated April 15, 2004, indicating that Item No. 1 of the Enclosures was the "Application including the oath or Declaration and drawings, as originally filed". A copy of the transmittal letter is also enclosed. Applicants also submit herewith another copy of the nineteen sheets of drawings for the above-referenced application.

The above evidence clearly establishes that nineteen (19) sheets of drawings were in fact received by the USPTO on April 15, 2004. Accordingly, it is respectfully requested that this Petition be granted, that the attached drawings be re-associated with the application, that Applicants be accorded the original filing date of April 15, 2004, and that the attached \$130.00 petition fee under 37 C.F.R. § 1.17(h) be refunded.

Also attached is a copy of the Notice of Incomplete Nonprovisional Application Missing Parts dated June 24, 2004, a copy of the originally filed Declaration and Power of Attorney, and a copy of the application number postcard returned by the USPTO.

A check in the amount of \$130.00 to cover the petition fee of \$130.00 is also attached.

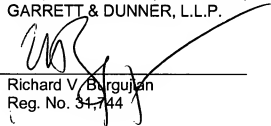
Please grant any extensions of time required to enter this response, and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 20, 2004

By: \_\_\_\_\_

  
Richard V. Burgin  
Reg. No. 34,744

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such statements are prohibited by the laws of the United States and that such statements are prohibited by the laws of the United States and that the application of any Patent issued thereon.

## DECLARATION FOR PATENT APPLICATION

O2S0267

I declare further that my mailing address is at c/o  
Intellectual Property Division, KABUSHIKI KAISHA TOSHIBA. 1-1 Shibaura  
1-chome, Minato-ku, Tokyo 105-8001, Japan; and  
that my citizenship and residence are as stated below next to my name:

Inventor: (Signature)DateResidenceDate: MAY. - 9. 2002*Richiro Takahashi*Citizen of: JapanYokohama-shi, Japan

Richiro Takahashi

Date: MAY. - 9. 2002*Kei Hayasaki*Citizen of: JapanKamakura-shi, Japan

Kei Hayasaki

Date: MAY. - 9. 2002*Tomoyuki Takeishi*Citizen of: JapanYokohama-shi, Japan

Tomoyuki Takeishi

Date: MAY. - 9. 2002*Shinichi Ito*Citizen of: JapanYokohama-shi, Japan

Shinichi Ito

Date:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: JapanDate:Citizen of: Japan



PATENT  
Customer Number 22,852  
Attorney Docket No. 04329.2821-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Prior Application Art Unit: 2851

Prior Application Examiner: Alan A. MATHEWS

SIR: This is a request for filing a

☐ Continuation ☐ Continuation-in-Part ☒ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior Application No. 10/144,025 filed May 14, 2002 of Riichiro TAKAHASHI et al. for ALKALINE SOLUTION AND MANUFACTURING METHOD, AND ALKALINE SOLUTION APPLIED TO PATTERN FORMING METHOD, RESIST FILM REMOVING METHOD, SOLUTION APPLICATION METHOD, SUBSTRATE TREATMENT METHOD, SOLUTION SUPPLY METHOD, AND SEMICONDUCTOR DEVICE MANUFACTURING METHOD.

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, as originally filed. I hereby verify that the attached papers are a true copy of prior Application No. 10/144,025, as originally filed on May 14, 2002, which is incorporated herein by reference.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125. The undersigned hereby verifies that no new matter is added in this substitute specification.
3. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
4. ☒ A Preliminary Amendment is enclosed.
5. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended in the Preliminary Amendment filed herewith.

Basic Application Filing Fee				\$770	\$ 770.00
	Number of Claims		Basic	Extra Claims	
Total Claims	7	-	20	0	x \$18 0
Independent Claims	2	-	3	0	x \$86 0
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)				+\$290	
Subtotal					\$ 770.00
Reduction by 1/2 if small entity					-
TOTAL APPLICATION FILING FEE					\$ 770.00

6. ☒ A check in the amount of \$ 770.00 to cover the filing fee is enclosed.
7. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
8. ☐ New acceptable drawings are enclosed.
9. ☒ The prior application is assigned of record to: KABUSHIKI KAISHA TOSHIBA, 1-1 Shibaura 1-chome, Minato-ku, Tokyo, Japan, recorded May 14, 2002, at Reel 012899, Frame 0487.
10. ☒ Priority of Application No. 2001-143682, filed on May 14, 2001 in JAPAN is claimed under 35 U.S.C. § 119. A certified copy  
☐ is enclosed or ☒ is on file in the prior application.
11. ☐ Small entity status is appropriate and applies to this application.
12. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No.

25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; Roger D. Taylor, Reg. No. 28,992; John C. Paul, Reg. No. 30,413; David M. Kelly, Reg. No. 30,953; Kenneth J. Meyers, Reg. No. 25,146; Carol P. Einaudi, Reg. No. 32,220; Steven M. Anzalone, Reg. No. 32,095; Jean B. Fordis, Reg. No. 32,984; Barbara C. McCurdy, Reg. No. 32,120; James K. Hammond, Reg. No. 31,964; Richard V. Burgujian, Reg. No. 31,744; J. Michael Jakes, Reg. No. 32,824; Thomas W. Banks, Reg. No. 32,719; Christopher P. Isaac, Reg. No. 32,616; Bryan C. Diner, Reg. No. 32,409; M. Paul Barker, Reg. No. 32,013; Andrew Chanho Sonu, Reg. No. 33,457; David S. Forman, Reg. No. 33,694; Vincent P. Kovalick, Reg. No. 32,867; James W. Edmondson, Reg. No. 33,871; Michael R. McGurk, Reg. No. 32,045; Joann M. Neth, Reg. No. 36,363; Gerson S. Panitch, Reg. No. 33,751; Cheri M. Taylor, Reg. No. 33,216; Charles E. Van Horn, Reg. No. 40,266; Linda A. Wadler, Reg. No. 33,218; Jeffrey A. Berkowitz, Reg. No. 36,743; Michael R. Kelly, Reg. No. 33,921; James B. Monroe, Reg. No. 33,971; Doris Johnson Hines, Reg. No. 34,629; Lori Ann Johnson, Reg. No. 34,498; R. Bruce Bower, Reg. No. 37,099; John Rissman, Reg. No. 33,764; Therese A. Hendricks, Reg. No. 30,389; Leslie I. Bookoff, Reg. No. 38,084; Michele C. Bosch, Reg. No. 40,524; Michael J. Flibbert, Reg. No. 33,234; Scott A. Herbst, Reg. No. 35,189; Leslie A. McDonnell, Reg. No. 34,872; Thalia V. Warnement, Reg. No. 39,064; Ronald A. Bleeker, Reg. No. 27,773; Kathleen A. Daley, Reg. No. 36,116; C. Gregory Gramenopoulos, Reg. No. 36,532; Anthony M. Gutowski, Reg. No. 38,742; Lionel M. Lavenue, Reg. No. 46,859; Christine E. Lehman, Reg. No. 38,535; Patrick J. Coyne, Reg. No. 31,821; F. Leslie Bessenger, III, Reg. No. 39,108; Houtan K. Esfahani, Reg. No. 41,893; Esther H. Lim, Reg. No. 41,994; Michael A. Morin, Reg. No. 40,734; and Erik R. Puknys, Reg. No. 40,132.

13. ☒ The power appears in the original declaration of the prior application.
14. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.



15. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852.**
16. ☐ Recognize as associate attorney \_\_\_\_\_
17. ☒ Also enclosed is Information Disclosure Statement and PTO Form 1449

**PETITION FOR EXTENSION.** If any extension of time is necessary for the filing of this application, including any extension in parent Application No. 10/144,025, filed May 14, 2002, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: April 15, 2004

By: \_\_\_\_\_

Richard V. Burdajian  
Reg. No. 31,744

RUB/NXW



## BEST AVAILABLE COPY

### PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

12

In Re 1.53(b) Divisional Application of Application No. 10/144,025

Inventors: Riichiro TAKAHASHI et al.

Group Art Unit: Unassigned  
(Prior Group Art Unit: 2851)

Filed: April 15, 2004

Examiner: Unassigned  
(Prior Examiner: Alan A. MATHEWS)

For: ALKALINE SOLUTION AND MANUFACTURING METHOD, AND ALKALINE SOLUTION APPLIED TO PATTERN FORMING METHOD, RESIST FILM REMOVING METHOD, SOLUTION APPLICATION METHOD, SUBSTRATE TREATMENT METHOD, SOLUTION SUPPLY METHOD, AND SEMICONDUCTOR DEVICE MANUFACTURING METHOD

1. Request for Filing Divisional Application under 37 C.F.R. 1.53(b) (4 pages)
2. Copy of originally-filed parent application, including specification, abstract and 43 total claims (111 pages), nineteen (19) sheets of drawings containing Figs. 1, 2A-2F, 3A-3B, 4A-4F, 5A-5B, 6, 7, 8A-8G, 9, 10, 11, 12A-12I, 13, 14A-14I, 15, 16A-16E, 17A-17C, 18, 19A-19B, 20A-20B, 21, 22, and Declaration, Power of Attorney, and Assignment.
3. Information Disclosure Statement (2 pages)
4. USPTO Form 1449 listing 16 Documents (2 pages)
5. Preliminary Amendment (6 pages)
6. Check for \$ 770.00 for filing fee.



Dated: April 15, 2004

Docket No.: 04329.2821-01000

RVB/NXW/dd - D. Dottin @ MD 1015

OKS  
4-16-04 JMS



*RVB/NXW*

**PLEASE ACCORD THIS U.S. DIVISIONAL PATENT APPLICATION AN APPLICATION NUMBER AND FILING DATE**

U.S. Divisional Application of Application No. 10/144,025 for: ALKALINE SOLUTION AND MANUFACTURING METHOD, AND ALKALINE SOLUTION APPLIED TO PATTERN FORMING METHOD, RESIST FILM REMOVING METHOD, SOLUTION APPLICATION METHOD, SUBSTRATE TREATMENT METHOD, SOLUTION SUPPLY METHOD, AND SEMICONDUCTOR DEVICE MANUFACTURING METHOD

Inventors: Riichiro TAKAHASHI et al.

APPLICATION NO.:

FILING DATE: April 15, 2004

Dated: April 15, 2004

Case Ref: 04329.2821-01000

RVB/NXW/dd - D. DOTTIN @ Mail Drop No 1015

**RECEIVED**  
APR 23 2004  
FINNEGAN, HENDERSON, FRABOW,  
GARRETT AND DUNN, LLP

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*dated 4/26/04*